FILED
IN OPEN COURT
DEC - 7 2016
CLERK, U.S. DISTRICT COURT
NORFOLK, VA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	CRIMINAL NO. 2:16cr 165
	)	
v.	)	
	)	21 U.S.C. §§ 841(a)(1), 841(b)(1)(C)
COREY BRANCH,	)	Possession with Intent to Distribute
	)	Fentanyl
	)	(Count 1)
Defendant.	)	
	)	18 U.S.C. §§ 922(g)(1) and 924(a)(2)
	)	Felon in Possession of a Firearm
	)	(Count 2)
	)	
	)	18 U.S.C. § 924(d)(1), 21 U.S.C. § 853,
	)	28 U.S.C. § 2461
	)	Criminal Forfeiture

INDICTMENT

DECEMBER 2016 TERM – at Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about September 21, 2016, in the Eastern District of Virginia, the defendant, COREY BRANCH, did unlawfully, knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).)

COUNT TWO

On or about September 21, 2016, in the Eastern District of Virginia, the defendant, COREY BRANCH, having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess in and affecting commerce a firearm, which had been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

FORFEITURE ALLEGATION

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE TO BELIEVE THAT, AND ALLEGES THAT:

1. The defendant, COREY BRANCH if convicted of the violations alleged in Count One of this Indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2:
   a. Any property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of the violation;
   b. Any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the violation; and
   c. Any firearm or ammunition involved in or used in the violation.
2. The defendant, if convicted of the violation alleged in Count Two of this Indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2, any firearm or ammunition involved in or used in the violation.
3. If any property that is subject to forfeiture above, as a result of any act or omission of the defendant, (a) cannot be located upon the exercise of due diligence, (b) has been transferred to, sold to, or deposited with a third party, (c) has been placed beyond the jurisdiction of the Court, (d) has been substantially diminished in value, or (e) has been commingled with other property that cannot be divided without difficulty, it is the intention of the United States to seek forfeiture of any other property of the defendant, as subject to forfeiture under Title 21, United States Code, Section 853(p).

4. The property subject to forfeiture includes, but is not limited to, the following property:

   a. One (1) Beretta, Model PX4 Compact, .40 caliber pistol.

(In accordance with Title 18, United States Code, Section 924(d)(1); Title 21, United States Code, Section 853; Title 28, United States Code, Section 2461.)

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office

UNITED STATES v. COREY BRANCH,
CRIMINAL NO. 2:16CR 165

A TRUE BILL

Redacted
FOREPERSON

DANA J. BOENTE
UNITED STATES ATTORNEY

By: ______________________

Andrew C. Bosse
Assistant United States Attorneys
Attorney for the United States
United States Attorney's Office
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Office Number: (757) 441-6331
Facsimile Number: (757) 441-6689
E-mail Address: andrew.bosse@usdoj.gov